

REMARKS

1. In the Claims

In the Amendments to the Claims, claims 29-49 have been amended to correct inconsistent usage of language used to identify elements in the claims. Moreover, voluntary changes have been made to improve the clarity of the subject matter recited therein.

Claims 37, 38, 42, 43 and 50 have been rewritten as new claims 54-58 to include the limitations of the claims from which they depend. It will be pointed out that the subject matter of such claims was identified in the last Office Action as containing allowable subject matter.

Numerous other amendments have been made to the claims which will be discussed in greater detail below in reference to the rejections based on the cited prior art. Withdrawal of the objections to the claims is respectfully requested in the next communication from the Examiner.

2. Rejection of claims 36, 39, 44, 47, 51 and 52 under 35 U.S.C. § 102(b) as being anticipated by DE 43 05 377 (Hustadt et al.)

In view of the amended claims, Applicant respectfully traverses this rejection.

Claim 36 has been amended so as to more clearly recite an end portion of the insert parts of the present invention. More specifically, claim 36 now includes the follow recitation:

each of said insert parts includes an end portion geometrically configured in the shape of a triangle having an apex directed along a longitudinal axis of an attachment channel, each insert part defining a first leg arranged to be urged against an inner wall of a respective attachment channel, a second leg connecting at a first end with a first end of the first leg to form the apex and extending at an oblique angle relative to the first leg in a direction generally proximal to the corner portion, and a

third leg extending obliquely relative to the first and second legs in a direction generally proximal to the corner portion and connecting to the first leg.

Judging from the illustrations in the disclosure of Hustadt, in particular FIG. 4, it is clear that the corner joint of Hustadt does not define an end portion having a generally triangular configuration with an apex, as now clearly recited in claim 36. Claim 39 is patentable based on its dependency from claim 36 and its individually recited features regarding the end portion of the insert parts of the present invention.

Claim 44 has been amended to clarify the relationship between the corner piece and the attachment channels. More particularly, the corner piece and the attachment channels define mutually non-parallel surfaces with the exception of a region wherein a lip projection extending from one side of the attachment channels is urged against a locking element extending from the corner piece. In observing FIG. 3, it will be pointed out that Hustadt illustrates the corner piece and the attachment channels as being generally parallel to one another. Accordingly, Hustadt fails to disclose or suggest the relationship between the attachment channels and the corner piece, as recited in claim 44 of the present application.

Claim 47 has been amended to more clearly recite the clearance recited therein. More specifically, the clearance is recited as having a hook-shaped profile. It is readily apparent from FIGS. 1-4 that Hustadt fails to disclose or suggest a clearance with a hook-shaped profile.

It will be noted that claims 51 and 52 have been canceled, and accordingly, the rejection of these claims is moot.

Accordingly, in view of these observations, Applicant respectfully submits that claims 36, 39, 44 and 47 are not anticipated by the disclosure of Hustadt. Withdrawal of this rejection is respectfully requested.

3. Rejection of claims 32, 33 and 41 under 35 U.S.C. § 103(a) as being unpatentable over DE 43 05 377 (Hustadt et al.) in view of DE 23 32 890 (Kreusel) and GB 2062159 (Pooley)

In view of the amendment to claims 32, 33 and 41, Applicant respectfully traverses this rejection.

Claim 32 has been amended to recite that the at least one locking element includes a contact surface geometrically configured to substantially contact the entire length of the lip projection. Applicant submits that Hustadt, Kreusel and Pooley do not disclose or suggest the aforementioned relationship between the locking element and the lip projection in claim 32 of the present invention. This recited relationship is important in order to assist in preventing the lip projection from kinking or breaking due to a load exerted thereupon when a pane of glass is to be applied to the corner joint.

Claim 33 depends from claim 32 and is thus patentable based on its dependency therefrom and its individually recited features. Moreover, Kreusel does not disclose or suggest a free end of a lip projection in full contact with a side of an insert part. Furthermore, Hustadt discloses in FIG. 3 that both sides of the lip projection are free from any contact with the insert part itself. Pooley fails to make up for the shortcomings of Hustadt and Kreusel.

Claim 41 depend directly from claim 32 and is thus patentable based on its dependency therefrom and its individually recited features. Moreover, in observing Hustadt, elements 26, 27 are not resilient or bendable since they are connected to other elements of the same corner piece. On the other hand, the elements of the present application are indeed resilient or bendable since the resilient elements are positioned against the inner side of the attachment channels leaving a clearance between the resilient element and the inner side of the attachment channels.

Accordingly, Hustadt, Kreusel and Pooley, whether considered collectively or individually, do not disclose or suggest the corner joint recited in claim 32 of the present application. Claims 33 and 41, which directly depend from claim 32, are also patentable based on their dependency from claim 32 and their individually recited structural elements. Withdrawal of the rejection is respectfully requested.

4. Rejection of claim 35 under 35 U.S.C. § 103(a) as being unpatentable over DE 43 05 377 (Hustadt et al.) in view of U.S. 4,651,482 (Borys)

In view of the amendment to claim 35, Applicant respectfully traverses this rejection.

Claim 35 has been amended to clarify the inventive features of the insert part of the present invention such that each of the insert parts is geometrically configured in the shape of a triangle having an apex directed along a longitudinal axis of an attachment channel. As discussed above, Hustadt simply fails to disclose or suggest the configuration of the insert parts of the present invention. Moreover, claim 35 recites that a filling compound is provided in the attachment channel and the triangular shape of each of the insert parts is geometrically configured to urge the filling compound towards an outer wall of a respective one of said attachment channels.

Applicant submits that Hustadt and Borys fails to disclose or suggest the combination of the configuration of the insert parts and the filling compound of the present invention. It will be pointed out that while Borys discloses injecting a sealant into the corner pieces, this sealant is provided to seal any gaps around the corner piece. On the other hand, the filling compound in the present invention, as recited in claim 35, is provided to be applied into the attachment channels, thereby making such channels solid inside.

Accordingly, Hustadt and Borys, whether considered collectively or individually, do not disclose or suggest the corner joint recited in claim 35 of the present application. Withdrawal of the rejection is respectfully requested.

5. Rejection of claim 49 under 35 U.S.C. § 103(a) as being unpatentable over DE 43 05 377 (Hustadt et al.) in view of U.S. 4,530,195 (Leopold)

In view of the amendment to claim 49, Applicant respectfully traverses this rejection.

Claim 49 has been amended to recite that the hinge has a rotational axis positioned near inner walls of the attachment channels. It will be pointed out that hinge recited in claim 49 of the present application is arranged to resist pulling forces which appear when a pane of glass is placed within the corner joint. To this aim, the material of the corner piece, including the hinge, is positioned close to the inner wall of the attachment channels.

As shown in FIGS. 6-8, Leopold discloses a hinge that is positioned on a side of the corner joint nearly adjacent to the outer wall of an equivalent to an attachment channel. Accordingly, Leopold fails to disclose the hinge recited in claim 49 of the present application.

Accordingly, Hustadt and Leopold, whether considered collectively or individually, do not disclose or suggest the corner joint having a hinge as recited in claim 49 of the present application. Withdrawal of the rejection is respectfully requested.

6. Conclusion

In view of the amendment to the existing claims, the submission of the new claims and the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that the pending claims be allowed and the application passed to issue.

Application No.: 09/806,304
Examiner: Ryan FLANDRO
Art Unit: 3679

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's Attorney, the Examiner is invited to contact the undersigned at the numbers shown below.

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amendment 112003.wpd

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin J. Cassell". The signature is fluid and cursive, with the first name "Justin" and last name "Cassell" clearly distinguishable.

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